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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/815,941

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Joseph K. Halcy

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26694 7590 02/22/2007  
VENABLE LLP  
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EXAMINER

DOAN, ROBYN KIEU

ART UNIT

PAPER NUMBER

3732

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

02/22/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/815,941	<b>Applicant(s)</b> HALEY, JOSEPH K.	
	<b>Examiner</b> Robyn Doan	<b>Art Unit</b> 3732	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 November 2006.  
 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 and 7-17 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-5, 7-17 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:  
         1. ☐ Certified copies of the priority documents have been received.  
         2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
     \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 12 and 13, 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Tiram (IDS cited reference).

With regard to claim 12, Tiram discloses an apparatus for trimming hair (fig. 10) comprising a hair trimming device (24), a mirror (32) and a structure (30) connecting the hair trimming device and the mirror. In regard to claim 13, the trimming device having a hair trimming element (26) facing a first direction (see fig. 10) and the mirror facing generally in the first direction (see fig. 10). In regard to claim 16, the mirror being a magnifying mirror (col. 4, line 58).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7-11, 14, 15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiram in view of Ringdahl (IDS cited reference).

With regard to claims 8 and 14, Tiram discloses the essential claimed invention except for the mirror coupled to an attachment member, wherein in a first position, the mirror extends laterally relative to a first side of the hair trimming device and a second position the mirror extends laterally relative to second side of the trimming device. Ringdahl discloses an apparatus for shaving hair (fig. 2) comprising a hair trimming device (10), a magnifying lens (34) coupled to the hair trimming device by attachment structure (28); the mirror having a first position in which the mirror extends laterally relative to a first side of the hair trimming device and a second position in which the mirror extends laterally relative to a second side of the hair trimming device, the second side being opposite to the first side (magnifying lens 34 having shaft balls 26, 38 positioned within sockets 30, 32 therefore providing an adjustability to the position of the device such as the handles 26, 36 can move laterally relative to a first side of the trimming device to a second side of the trimming device). It would have been obvious to one having an ordinary skill in the art at the time the invention was made to employ the attachment structure as taught by Ringdahl into the device of Tiram for the purpose of providing position which is adjustable relative to the razor blade. In regard to claim 9, Tiram in view of Ringdahl shows a structure (Ringdahl 30, 26) that releasably retains the mirror in the first and second positions. In regard to claim 10, Tiram in view of Ringdahl show the hair trimming device having a hair trimming element (24, Tiram) facing in a first direction and the mirror facing generally in the first direction (Tiram, fig.

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10). In regard to claim 14, Tiram in view of Ringdahl show an attachment structure (22) adapted to attached the magnifying lens to an elongate element (10), the attachment structure having first and second opposite sides and a member (30, 26) coupling the lens (34) to the attachment structure, the member having a first position in which the mirror extends beyond the first side of the attachment of the attachment structure and a second position in which the lens extends beyond the second side of the attachment structure (same analysis as discussed above in claim 8), the member having a structure (ball and socket) releasably retaining the connector in its first and second positions. In regard to claims 11 and 17, Tiram in view of Ringdahl show the mirror being a magnifying mirror (Tiram, col. 4, line 58). With regard to claims 1 and 2, 15, Tiram discloses the above device which inherently shows a step of placing the hair trimming device (24) having at least a magnifying mirror attached thereto and manipulating the hair trimming device to remove hair from portions of the body of the user, Tiram fails to show the step of facing a first mirror as a reflection of the mirror attached to the hair trimming device, however, it would have been obvious to one having an ordinary skill in the art to use such device in combination with another mirror in order to provide a view from the mirror of the hair trimming device. In regard to claim 3 and 4, 5, Tiram in view of Ringdahl inherently shows the mirror of the hair trimming device being arranged to move and extend beyond the hair trimming device (Ringdahl, fig. 2) laterally with respect to each side of the body of the user. In regard to claim 7, Tiram in view of Ringdahl by showing the mirror being a magnifying mirror (Tiram), Tiram in view of Ringdahl inherently shows the claimed method step.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robyn Doan whose telephone number is (571) 272-4711. The examiner can normally be reached on Mon-Fri 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cris Rodriguez can be reached on (571) 272-4964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Robyn Doan  
Examiner  
Art Unit 3732